IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 5303 (SS) OF 2001

(Old No. 12426/2000)

Mahendra Shukla,
S/o late Bhagwan Shukla,
R/o Village Barauli,
Post Office-Bheembar, District Azamgarh. .....Petitioner.

Versus

1. Govind Ballabh Pant University of Agriculture & Technology, Pant Nagar, District Udham Singh Nagar, through its Registrar.
2. Deputy Director Works & Plant Hill Campus, Ranichauri/District Tehri Garhwal.
3. Joint director (Res.& Extn.) and Officer-Incharge, Hill Campus, Ranichauri, Distt. Tehri Garhwal.

.....Respondents.

Mr. S. S. Negi, Advocate for the petitioner.
Mr. Rajendra Dobhal, Advocate for he respondents.

Dated : 28.03.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents to grant the benefit of revised pay scale.

Mr. Ranjedra Dobhal, learned counsel for the respondents has pointed out that under Section 23, appeal lies to the Chancellor. Section 23 of the U.P. State Agricultural Universities Act, 1958 is quoted below:-

"23. If any question arises whether any person has been duly elected or appointed as or is entitled to be, a member of

any authority of the University subordinated to the Board or whether any decision of the University or any authority subordinate to the Board if inconformity with this Act and Statutes, the matter shall be referred to the (Kuladhipati) whose decision thereon shall be final."

In view of the aforesaid facts, the matter is referred to the Chancellor, who shall decide the matter in accordance with law within a period of three months for the dated of presentation of the certified copy of the order and in case the Chancellor comes to the conclusion that the petitioner is entitled for revised pay-scale, the same shall be paid to the petitioner along with the interest @ 6% per annum.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

28.3.2006
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